

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF BUNKER HILL VILLAGE, TEXAS
February 20, 2024 at 5:00 P.M.**

I. CALL TO ORDER

Mayor Pro-Tem Schwartz called the meeting to order at 5:04 p.m. on Zoom and in the Council Chambers of City Hall, 11977 Memorial Drive, Houston, Texas.

Present

Mayor Robert Lord *via Zoom*
Mayor Pro-Tem Susan Schwartz
Councilmember Keith Brown
Councilmember Eric Thode
Councilmember Laurie Rosenbaum
Councilmember Carl Moerer (arrived at 5:05 p.m.)

Staff in Attendance

Gerardo Barrera, City Administrator
Loren Smith, City Attorney
Susan Engles, Finance Director
Elvin Hernandez, Director of Public Works
Jennifer Namie, Assistant to the City Secretary
Mallory Pack, Management Analyst

II. PLEDGE OF ALLEGIANCE

Girl Scout Troop #126054 led the Pledge of Allegiance.

III. CITIZENS' COMMENTS

Robyn Joyce, 20 Greyton Lane, spoke regarding chickens being allowed in the City and asked Council to consider revising the existing ordinance.

IV. INTRODUCTION OF INDEPENDENT FINANCIAL REPRESENTATIVES –

Gerardo Barrera, City Administrator and Susan Engles, Finance Director

At the November 13, 2023, Finance Audit Committee meeting, the committee directed staff to schedule a meeting with Independent Financial and establish a direct point of contact.

Independent Financial serves as the City's secondary depository and investment bank that offers fully collateralized services.

The City's point of contact at Independent Financial, Brandon Compton, attended the meeting to address any Council comments and questions.

No action was taken on this item.

V. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A CONTRACT WITH IDS ENGINEERING GROUP TO PROVIDE THE SERVICES OF CITY ENGINEER
– *Gerardo Barrera, City Administrator*

For over 20 years, civil engineering services have been provided to the City through task-based or on an “on-call” basis. Both approaches have proven to be effective in the delivery of projects and services, but at the same time, they have lacked in efficiency.

In December 2023, the City issued a formal request for qualifications (RFQ) for the services of City Engineer. Five qualified firms (Bleyl Engineering, Colliers Engineering and Design, IDS Engineering Group, LAN, and SPI) submitted a statement of qualification (SOQ). The evaluation committee evaluated each SOQ based on several criteria, including, but not limited to, the following:

- Technical and relevant experience of key staff
- Experience in successfully performing similar scope of services
- Ability to provide different disciplines of municipal engineering

The evaluation committee unanimously selected IDS Engineering Group as the firm that best met the criteria to serve as City Engineer. Established in 1970 and 100% employee-owned, IDS has in-depth knowledge and experience in civil engineering services for municipalities including, but not limited to, land development, water/wastewater, construction services, in-house surveying, and GIS.

The contract will be an Evergreen Contract with annual renewals until either party terminates the agreement. The intent is to establish a long-term partnership with IDS. Funding for the contract will be appropriated through Capital Improvements Projects, as well as annual budget appropriations in the general and utility funds.

IDS President and the City’s selected representative Tim Buscha attended the meeting to address any of Council’s comments and questions.

A motion was made by Councilmember Thode and seconded by Councilmember Moerer to approve a contract with IDS Engineering to serve as the City’s Engineer.

The motion passed 4-0

Councilmember Rosenbaum was not in the room when the vote was taken.

VI. PRESENTATION, PUBLIC HEARING AND CONSIDERATION AND ACTION ON AN APPLICATION FOR A SPECIFIC USE PERMIT

ALL INTERESTED PARTIES SHALL HAVE THE RIGHT AND OPPORTUNITY TO APPEAR AND BE HEARD ON THE ITEM LISTED BELOW:

AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, AMENDING APPENDIX “A” OF THE CODE OF ORDINANCES OF THE CITY, SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF SAID CITY, BY GRANTING A SPECIFIC USE PERMIT FOR CONSTRUCTION AND USE OF PICKLE BALL COURTS, A TRELIS SHADE STRUCTURE, FENCING AND ASSOCIATED LIGHTING ON THE PREMISES OF MEMORIAL DRIVE PRESBYTERIAN CHURCH, AND OTHER INCIDENTAL IMPROVEMENTS; PROVIDING FOR REPEAL; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

Councilmember Moerer addressed Council and excused himself from item discussion and vote, citing a potential conflict of interest with Memorial Drive Presbyterian Church.

Memorial Drive Presbyterian Church (MDPC), located at 11612 Memorial Drive, operates under a specific use permit (SUP). The SUP outlines a detailed site plan and specific conditions on MDPC property.

At the April 2023 Planning and Zoning Commission Meeting, MDPC presented an application for an amendment to the SUP for Commission review, discussion, and direction for the following:

1. Replacement of existing signs (3 total)
2. New pickleball courts (2 total) with covered structure and site amenities

The Commission discussed the items and provided direction, including separating the two requests. In discussions with the Commission and staff, MDPC representatives expressed that the pickleball courts are the highest priority and will pursue replacing the existing signage at a later time.

As a result, the ordinance reflects the pickleball courts, structure, and amenities only.

A public hearing on the proposed pickleball courts was held at the June 2023 Planning and Zoning Commission (P&Z) meeting. MDPC presented the proposed location of the courts and pavilion that were to be constructed over the existing asphalt parking lot. During the hearing, several residents spoke against the court placement citing disruption of noise, lighting, and hours of operation. No action was taken. The applicants were instructed to complete a formal sound study prior to any final decision from P&Z.

At the November 2023 meeting, P&Z held a second public hearing on the proposed pickleball courts. MDPC presented the results of a formal sound study, as well as a new proposed site that moved the courts to a more centralized location further away from the residential area (away from Bylane Dr. residents). The new proposed location also included an updated lighting study and new rendering drawings of the new location.

The Planning and Zoning Commission voted 6-1 to recommend approval of amending the SUP for MDPC to install new pickleball courts with a covered structure and site amenities as presented.

At the January 2024 City Council meeting, Katherine Tees, the architect for the project, made a formal presentation to Council regarding the proposed site of the pickleball courts, structure, and amenities. The purpose of the presentation was to give Council the opportunity to provide feedback and ask the architect questions prior to the item being brought back for a formal Public Hearing and formal action at the February 2024 City Council meeting. Council requested the complete sound study report.

Katherine Tees made a presentation to review the site plans, the sound study, and updated court rules, including a provision that a reservation is required to be placed through MDPC to use the courts. Ms. Tees also presented a new study chart depicting the different recorded sound levels. She also reiterated the hours of operations will be within the City's quiet hours of 9 a.m. to 9 p.m.

Mayor Pro-Tem Schwartz opened the Public Hearing at 5:27 p.m.

**RECEIVE COMMENTS FROM THE PUBLIC, EITHER ORAL OR WRITTEN,
REGARDING THE FOLLOWING:**

AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, AMENDING APPENDIX "A" OF THE CODE OF ORDINANCES OF THE CITY, SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF SAID CITY, BY GRANTING A SPECIFIC USE PERMIT FOR CONSTRUCTION AND USE OF PICKLE BALL COURTS, A TRELIS SHADE STRUCTURE, FENCING AND ASSOCIATED LIGHTING ON THE PREMISES OF MEMORIAL DRIVE PRESBYTERIAN CHURCH, AND OTHER INCIDENTAL IMPROVEMENTS; PROVIDING FOR REPEAL; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

The following people spoke at the Public Hearing:

Miriam Jacob, 11662 Memorial Dr., stated that she does not support building the courts and is concerned about security. She inquired whether the City or MDPC would address complaints related to the courts.

Peter Lang, 3 Branch Bend Circle, agreed with Ms. Jacob's comments and said that the courts would cause traffic and security issues and impose an unnecessary burden on neighbors. He opposed the building of the courts.

Mary Katherine Johnson, 225 Bylane Dr., stated she did not receive the public hearing notice. She submitted a petition signed by her neighbors in objection to the courts for the record. She said that the courts would cause noise pollution and be an eyesore to the community. She inquired about expectations regarding court upkeep if they were to be approved.

Joe Blades, 1 Branch Bend Circle, said that he is concerned that the court's hours of operation would cause constant noise and traffic. He is also concerned that vehicle headlights from the parking lot will shine into homes. He requested an "audit" of operating procedures.

Mayor Pro-Tem Schwartz closed the Public Hearing at 5:42 p.m.

CONSIDERATION AND POSSIBLE ACTION REGARDING THE FOLLOWING:

AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, AMENDING APPENDIX “A” OF THE CODE OF ORDINANCES OF THE CITY, SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF SAID CITY, BY GRANTING A SPECIFIC USE PERMIT FOR CONSTRUCTION AND USE OF PICKLE BALL COURTS, A TRELIS SHADE STRUCTURE, FENCING AND ASSOCIATED LIGHTING ON THE PREMISES OF MEMORIAL DRIVE PRESBYTERIAN CHURCH, AND OTHER INCIDENTAL IMPROVEMENTS; PROVIDING FOR REPEAL; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

Councilmember Rosenbaum noted concerns with the court's hours of operation (9:00 a.m. – 9:00 p.m.).

Councilmember Thode and Councilmember Brown proposed to move forward with the amendment as presented and adjust the conditions of the SUP as issues arise.

A motion was made by Councilmember Brown and seconded by Councilmember Thode to approve Ordinance No. 24-619 to amend the Specific Use Permit for Memorial Drive Presbyterian Church to install new pickleball courts with a covered structure and site amenities as recommended by the Planning and Zoning Commission.

The motion carried 3-1-1

Councilmember Moerer abstained.

VII. PRESENTATION, PUBLIC HEARING AND CONSIDERATION AND ACTION ON AMENDING THE CITY’S ZONING ORDINANCE

ALL INTERESTED PARTIES SHALL HAVE THE RIGHT AND OPPORTUNITY TO APPEAR AND BE HEARD ON THE ITEM LISTED BELOW:

AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS AMENDING APPENDIX “A” OF ITS CODE OF ORDINANCES, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, TO ADD A NEW SECTION 7.17, SCREENING OF UTILITY EQUIPMENT, OF ARTICLE VII, SUPPLEMENTARY DISTRICT REGULATIONS, TO ADD REGULATIONS REQUIRING SCREENING OF ALL UTILITY EQUIPMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION

At the September 2023 Planning and Zoning Commission meeting, staff recommended a screening requirement for all ground utility equipment, similar to the existing screening requirement for generators. The Commission discussed the following:

- Replace “ground equipment” language with “utility equipment”
- Set a defined requirement for addition or remodel projects
- An electrical panel that is moved less than three feet from current location does not have to be screened

The ordinance reflects the direction of the Commission. At the November 2023 Planning and Zoning Commission meeting, the Commission held a public hearing and voted 7-0 to recommend approval of amending the City’s Zoning Ordinance.

Mayor Pro-Tem Schwartz opened the Public Hearing at 6:11 p.m.

RECEIVE COMMENTS FROM THE PUBLIC, EITHER ORAL OR WRITTEN, REGARDING THE FOLLOWING:

AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS AMENDING APPENDIX “A” OF ITS CODE OF ORDINANCES, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, TO ADD A NEW SECTION 7.17, SCREENING OF UTILITY EQUIPMENT, OF ARTICLE VII, SUPPLEMENTARY DISTRICT REGULATIONS, TO ADD REGULATIONS REQUIRING SCREENING OF ALL UTILITY EQUIPMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION

The following people spoke at the Public Hearing:

There were no public comments.

Mayor Pro-Tem Schwartz closed the Public Hearing at 6:11 p.m.

CONSIDERATION AND POSSIBLE ACTION REGARDING THE FOLLOWING:

AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS AMENDING APPENDIX “A” OF ITS CODE OF ORDINANCES, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, TO ADD A NEW SECTION 7.17, SCREENING OF UTILITY EQUIPMENT, OF ARTICLE VII, SUPPLEMENTARY DISTRICT REGULATIONS, TO ADD REGULATIONS REQUIRING SCREENING OF ALL UTILITY EQUIPMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION

A motion was made by Councilmember Brown and seconded by Councilmember Rosenbaum to approve Ordinance No. 24-620 to amend the City’s Zoning Ordinance as recommended by the Planning and Zoning Commission.

The motion carried 5-0

Mayor Lord left the meeting at 6:21 p.m.

VIII. MEMORIAL VILLAGES POLICE DEPARTMENT REPORT

- A. Update on Activities – Chief Schultz gave an update on activities including personnel, calls for service, and the 2024 Budget to date.
- The Department ended FY 2023 under budget and the City will receive a refund in an expected amount of \$65-70K.
 - The Department has expended approximately 5% of the total annual budget.
 - Staff met with the Houston Police Department to discuss how to improve communications across agencies to address crime.
- B. Discussion, Feedback, and Review Regarding E-Bike Regulation
- The Police Commission is working on a proposed ordinance to regulate the use of recreational e-vehicles (i.e., e-bikes, e-scooters, etc.) on city streets and sidewalks. The proposed ordinance will be presented to Council at a later date.

No action was taken on this item.

- C. Consideration and Possible Action Regarding Employee Insurance Coverage for the Time Period of April 1, 2024, through March 31, 2025, Contracting for Health, Vision, and Dental Insurance in Partnership with the Memorial Villages Police Department and the City of Piney Point Village, Texas.

All full-time City employees are eligible for employee insurance benefits. Insurance coverage has been provided through the Memorial Villages Police Department and includes health, dental, vision, life, and disability insurance. The City of Piney Point Village also participates in this group.

In collaboration with MVPD and Alliant (consultant), the annual process for health, vision, and dental will be from April 1, 2024 through March 31, 2025. Proposals were due and opened on January 16, 2023. Only one bid was received from Blue Cross Blue Shield of Texas (BCBS). Aetna, Cigna, Memorial Herman, IEBP/TML, and Trustmark Insurance Company declined to quote due to uncompetitive rates. United Health Care provided an initial quote at 52.6% above current rates, but declined to quote due to on-going large claim pending.

Health Insurance

The initial renewal proposal received from BCBS came in at 19.3% over the current rate. As part of the FY 2024 Budget, MVPD, Piney Point Village and Bunker Hill Village budgeted an estimated 15% increase for health benefits. After numerous negotiations with BCBS, Alliant was able to lower the renewal to a manageable

11.6% increase over current rates. This renewal reduction is contingent on MVPD renewing the Dental with BCBS for the 2024-2025 plan year.

Last year's increase included a 4.9% increase to annual deductibles with an increase to the HSA contributions for employees to offset the increase in deductibles.

Dental

BCBS released a one-year rate pass for 2024-2025 Dental Renewal. As previously noted, the medical renewal is contingent on renewing the Dental plan.

Life/Disability Ancillary Insurance

Standard for the ancillary benefits – multi-year contract continues into 2024-2025.

Contributions to the HSA

Contributions to the HSA are proposed to help offset the increase in the annual deductible:

- Employee Only – \$2,350.00 – no change
- Employee Plus Dependent(s) – \$3,700.00 – no change
- Wellness to remain at \$1500.00

Staff recommended approval to continue employee insurance coverage with the Memorial Villages Police Department contracting with Blue Cross Blue Shield serving as the insurance carrier for health insurance, dental and vision insurance.

A motion was made by Councilmember Thode and seconded by Councilmember Brown to approve Employee Insurance Coverage for the Time Period of April 1, 2024, through March 31, 2025, Contracting for Health, Vision, and Dental Insurance and Insurance in Partnership with the Memorial Villages Police Department and the City of Piney Point Village, Texas.

The motion carried 5-0

IX. VILLAGE FIRE DEPARTMENT REPORT

- A. Update on Activities – Deputy Chief Witt and Commissioner Brown provided a report on activities, staffing, calls for service, and response times.
- Average response time for Bunker Hill Village is 5:30.
 - Three new fire medics started in January.
 - Hydrant testing has started and is expected to be completed by May.
 - Ambulance was sold for \$57K.
 - Discussion of capital cost proposed increase in the future for the replacement of equipment/vehicles.

X. MAYOR'S REPORT

- A. Report on Activities and Upcoming Events – *Gerardo Barrera presented this item.*
- Mayors' Meetings – Mayor Lord met with Commissioner Ramsey to discuss potential funding opportunities available through the county. Village Mayors also met with candidates for other open positions in the Villages.

XI. CITY ADMINISTRATOR'S REPORT

A. Report on Activities and Upcoming Events

- Planning and Zoning Commission Meeting – *January 23, 2024* – The Commission continues to discuss artificial turf and potential revisions to the City's tree ordinance. MDPC will make a presentation at the February meeting on new proposed electronic signage on the campus.
- May 4, 2024 Election – The call for the Annual May Election was made in January. The incumbents filed for their respective positions with no opposition. The election will be canceled.
- Memorial Villages Water Authority (MVWA) Wastewater Update – Staff met with MVWA to discuss increased flow rates from the City and upcoming CIP work at the treatment plant that will require future contribution funding from the City. Staff will bring more information to Council at a later time for discussion.
- Landscaping Contract Update – The City outsources landscaping and maintenance services. Staff requested Council feedback regarding whether to extend the contract for an additional year or solicit formal bids for landscaping services. Council directed staff to extend the contract for a six-month period and evaluate based on progress.

B. Director of Public Works Report

- Development Report – Director Hernandez reported on permits issued in the month of January 2024.
- 2024 CIP Project Update – Staff is working with engineers to develop a project schedule including; design and construction for waterline replacement for Rhett, Tara, and Mayerling, wastewater televising of Memorial trunk line, design for asphalt streets (Knipp, Strey, Taylorcrest, and Bunker Hill Rd).
- Public Works and Disaster Operations Building – Fire sprinkler installation is expected to begin, followed by installation of fire alarm system. Staff is working on finalizing quotes for interior furniture.

C. Finance Director Report

- Annual Audit – Field work is scheduled to begin Monday, March 25, 2024, and extend to Friday, March 29, 2024.
- Investments and Opportunities – The City continues to take advantage of favorable interest rates.
- Municipal Court Fees – The Municipal Court is working to update the existing fee schedule.

Council gave staff direction to review and revise City ordinance to allow for chickens in backyards.

XII. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A CONTRACT BETWEEN THE CITY OF BUNKER HILL VILLAGE, TEXAS, AND LANGFORD ENGINEERING IN THE AMOUNT OF \$149,320.00 FOR THE REPLACEMENT OF WATER LINES – Gerardo Barrera, City Administrator

Under the American Rescue Plan Act of 2021, the Coronavirus Local Fiscal Recovery Fund (CLFRF) provided emergency funding for eligible local governments. The City qualified and received \$975,037.71 in funding. While the funds are restricted to certain activities, it will be used towards necessary investments in infrastructure (i.e. water lines) for the City.

The City's 5-year Capital Improvement Plan (CIP) calls for the replacement of cast iron waterlines that have exceeded their service life and have begun to fail. Over the past year, Public Works crews have responded to multiple line breaks along Mayerling Rd (between Memorial and Wink Rd.), Rhett Dr., and Tara Dr., that have resulted in lengthy water service interruptions while the repairs were completed. Staff has identified these water lines as a priority for replacement.

Staff requested and received a proposal from the City's Water/Wastewater On-Call Engineer, Langford Engineering, for pre-construction services for the replacement of approximately 5,600 linear feet of water line. Engineering services include but are not limited to; survey, design, bid phase, construction management, materials testing, and engineer of record services.

All services excluding construction are anticipated to take six (6) months to complete from the time of contract approval.

A motion was made by Councilmember Brown and seconded by Councilmember Thode to approve a contract with Langford Engineering in the amount of \$149,320.00 for the waterline replacement project.

The motion carried 5-0

XIII. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, APPROVING INTERLOCAL AGREEMENTS WITH THE GENERAL SERVICES ADMINISTRATION OF THE UNITED STATES (GSA ADVANTAGE); HARRIS COUNTY DEPARTMENT OF EDUCATION (CHOICE PARTNERS NATIONAL COOPERATIVE); NATIONAL INTERGOVERNMENTAL PURCHASING ALLIANCE COMPANY COMMUNITIES PROGRAM MANAGEMENT, LLC (OMNIA PARTNERS); REGION 8 EDUCATION SERVICE CENTER (TIPS PURCHASING COOPERATIVE); TEXAS COMPTROLLER OF PUBLIC ACCOUNTS (TX SMART BUY); AND WITH SOURCEWELL (A MINNESOTA SERVICE COOPERATIVE) TO ALLOW THE CITY OF BUNKER HILL VILLAGE TO PARTICIPATE IN COOPERATIVE PURCHASING PROGRAMS; AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS; AND MAKING OTHER PROVISIONS RELATED THERETO – Gerardo Barrera, City Administrator

The Interlocal Cooperation Act of the Texas Government Code is designed to increase the efficiency and effectiveness of local governments by authorizing them to contract with other governmental agencies or cooperative organizations for services and goods. The City has successfully executed interlocal agreements in the past with Harris County and Houston Galveston Area Council (HGAC) for various purchasing needs.

Membership in a purchasing cooperative offers the following benefits:

- Access to competitively procured contracts with quality vendors that meet state and federal bid requirements
- Savings of time and financial resources necessary to fulfill bid requirements
- Assistance throughout the purchasing process by qualified cooperative staff

Staff recommended approving an interlocal agreement with:

- General Services Administration Of The United States (GSA Advantage)
- Harris County Department of Education (Choice Partners)
- National Intergovernmental Purchasing Alliance Company Communities Program Management LLC (Omnia Partners)
- Region 8 Education Service Center (TIPS Purchasing Cooperative)
- Texas Comptroller of Public Accounts (TX Smart Buy)
- Sourcewell

All services are properly procured and meet all state purchasing requirements per Texas Local Government Code 252.

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Brown to approve Resolution No. 02-20-2024A to participate in cooperative purchasing programs.

The motion carried 5-0

XIV. CONSIDERATION AND POSSIBLE ACTION TO RENEW A CONTRACT WITH TX BBG CONSULTING, INC., A WHOLLY OWNED SUBSIDIARY OF SAFEbuilt, LLC FOR BUILDING PLAN REVIEW AND DEVELOPMENT SERVICES – *Elvin Hernandez, Director of Public Works*

To supplement planning and development workload demand as needed, the City utilizes a third-party contract to perform building inspections and plan review services. TXBBG Consulting, Inc., a wholly owned subsidiary of SAFEbuilt, LLC, has provided these professional services to the City since 2022. Services are provided on an as-needed basis at the request of the City. Contracting with TXBBG gives the City the ability to deliver timely building inspections and plan review services, maintaining a level of continuity during inspector absences and periods of increased workload demand.

There is no cost increase for 2024.

A motion was made by Councilmember Thode and seconded by Councilmember Brown to renew a contract with TXBBG Consulting, Inc., a wholly owned subsidiary of SAFEbuilt, LLC, for building inspections and plan review services as needed.

The motion carried 5-0

- XV. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS AMENDING CHAPTER 14, SUBDIVISION, OF THE CITY’S CODE OF ORDINANCES BY AMENDING SECTION 14-1, DEFINITIONS, SECTION 14-2, GENERAL PROVISIONS, SECTION 14-3, SPECIAL PROVISIONS, SECTION 14-5, FINAL PLAT, SECTION 14-6, FEES, SECTION 14-11, APPROVAL OF FINAL PLAT; REMOVING SECTION 14-4, PRELIMINARY PLAT AND ACCOMPANYING DATA, TO REMOVE REFERENCES TO THE PRELIMINARY PLAT PROCESS; PROVIDING FOR A PENALTY IN AN AMOUNT OF \$2,000.00 FOR EACH VIOLATION HEREOF WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; AND PROVIDING FOR SEVERABILITY – *Gerardo Barrera, City Administrator and Loren Smith, City Attorney***

There is no state law (or case law) that defines a “preliminary” plat. This is a creature of local municipality creation. In October 2014, Ordinance No. 14-446 amended Chapter 14 of the City’s Code of Ordinances that included an amendment adding the procedures of Preliminary Plat process.

The Texas Legislature recently put in place requirements that all plats be approved within 30 days of submission or 30 days from approval by the Planning and Zoning Commission. To avoid any confusion between a Preliminary Plat and a Final Plat in conjunction with the timing requirements, it is recommended to remove the Preliminary Plat process from the Subdivision Ordinance.

The amendment to Chapter 14 of the City’s subdivision ordinance will remove the Preliminary Plat process. This item was presented at the January 2024 Planning and Zoning Commission meeting with the commission voting unanimously 7-0 to recommend approval of amending the subdivision ordinance and removing the Preliminary Plat process of Chapter 14.

A motion was made by Councilmember Brown and seconded by Councilmember Rosenbaum to approve Ordinance No. 24-621 to amend the City’s subdivision ordinance as recommended by the Planning and Zoning Commission.

The motion carried 5-0

- XVI. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, ADOPTING AMENDMENT NO. 1 TO THE ORIGINAL BUDGET OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, FOR THE FISCAL YEAR 2024; PROVIDING DETAILED LINE ITEM INCREASES OR DECREASES; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT – *Susan Engles, Finance Director***

Staff presented a budget amendment to address unfinished projects from the previous fiscal year and ensure adequate funding for their completion in the current budget cycle.

Budget Amendment No. 1 outlines two key adjustments:

First, only a portion of the earmarked funds for the Meter Replacement project in the 2023 Capital Projects Budget have been utilized for upgrading the meter reading system. Staff recommended amending the 2024 budget to allocate \$245,897.50 for the completion of the project, with an expected start date in March 2024. This adjustment reflects the ongoing need for investment in infrastructure and technology to improve city services efficiently.

Second, the Televising of Concrete Line project, initially budgeted for in 2023, encountered delays and is being rebid for completion in 2024. Only a small portion of the allocated funds from the 2023 budget were expended. Staff recommended increasing the budget for this project by \$178,447.44 in the 2024 budget to ensure its successful completion. This adjustment underscores the importance of adapting budgets to accommodate unforeseen circumstances and project timelines.

A motion was made by Councilmember Thode and seconded by Councilmember Brown to approve Ordinance No. 24-622 to amend the 2024 Adopted Budget.

The motion carried 5-0

XVII. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS APPROVING AN AMENDED INTERLOCAL COOPERATION CONTRACT WITH THE DEPARTMENT OF PUBLIC SAFETY OF THE STATE OF TEXAS FOR PARTICIPATION IN THE FAILURE TO APPEAR (FTA) PROGRAM; AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE – *Gerardo Barrera, City Administrator*

Susan Engels presented this item

The City's Municipal Court received an amended agreement from the Texas Department of Public Safety (TXDPS) for the continued implementation of the Failure to Appear Program (FTA). The amended contract reflects recent legislative updates.

As allowed by the Texas Transportation Code, the City's Municipal Court contracts with TXDPS to participate in the FTA Program. The program is designed to assist municipal courts attain compliance from defendants who fail to appear in municipal court or pay their fines. The program provides an efficient enforcement and collection tool by restricting a defendant's ability to renew their driver's license until all outstanding fines are paid. The City's Municipal Court has participated in the FTA program since 2012. The program is a primary resource to get non-compliant defendants to appear or pay fines, because of the non-renewal of their driver's license if they do not.

The amendments reflect legislation effective September 1, 2023, including:

- Changes to language and restructuring to the original agreement to provide clarity regarding the specific responsibilities of each party

- Inclusion of indigency into the program as mandated by House Bill 291, 88th Legislative Session
- Language to account for future changes to the current statute, either federal or state, ensuring that the agreement remains in compliance with the latest requirements until a revised agreement is available

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Moerer to approve Resolution No. 02-20-2024B to renew the amended contract to participate in the Failure to Appear Program.

The motion carried 5-0

XVIII. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION OF THE CITY OF BUNKER HILL VILLAGE, TEXAS FINDING THAT THE STATEMENT OF INTENT OF CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TO CHANGE RATES FILING WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL – *Gerardo Barrera, City Administrator*

The City has received a request from CenterPoint regarding a utility rate increase. Bunker Hill Village participates in the Gulf Coast Coalition of Cities (GCCC), a coalition of cities served by CenterPoint that have joined together to efficiently and cost-effectively review and respond to issues affecting rates charged in the CenterPoint area of service. The GCCC legal counsel and the City Attorney recommend all cities act on the request as outlined in the proposed resolution.

On October 30, 2023, CenterPoint filed a Statement of Intent to Increase Rates application within the GCCC service area. The GCCC reviewed the company's filing and recommends that all city members adopt a Resolution to deny the rate change. Once the Resolution is adopted, CenterPoint will have 30 days to appeal the decision to the Railroad Commission where the appeal will be consolidated with CenterPoint's filing for the environs and those cities that have relinquished their jurisdiction currently pending at the Commission.

A motion was made by Councilmember Brown and seconded by Councilmember Thode to approve Resolution No. 02-20-2024C.

The motion carried 5-0

XIX. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE FOLLOWING PAYMENTS THAT EXCEED \$50,000:

At the November 2023 meeting, Council directed staff to remove expenditures exceeding \$50,000 from the consent agenda and present them as separate line item(s) on the regular agenda for consideration and possible action.

The City has received one invoice that meets this requirement:

- A. Ram Rod Utilities, LLC, Invoice No. 176 in the amount of \$57,225.00 for waterline emergency repair work completed on Mockingbird Lane in December 2023.

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Brown to approve payments that exceed \$50,000.

The motion carried 5-0

XX. CONSENT AGENDA

“ALL MATTERS LISTED UNDER CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION, THERE WILL NOT BE SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.”

- A. Minutes of the January 16, 2024, City Council Meeting.
- B. The Goodman Corporation, Invoice No. 1-2024-7 in the amount of \$1,705.00 for professional services rendered through January 31, 2024, for the Memorial Drive and Gessner Road grant application.
- C. RPS, Invoice No. 1123139 in the amount of \$430.22 for on-call engineering services rendered from November 27, 2023, to December 29, 2023.
- D. RPS, Invoice No. 1123141 in the amount of \$5,201.51 for site development review services completed from November 27, 2023, to December 29, 2023.
- E. RPS, Invoice No. 1123142 in the amount of \$679.24 for on-call Drainage Committee services completed from November 27, 2023, to December 29, 2023.
- F. RPS, Invoice No. 1123144 in the amount of \$24,200.00 for geotechnical investigation work on Knipp Rd., Strey Ln., Taylorcrest Rd., and Bunker Hill Rd., from October 17, 2023, to December 29, 2023.
- G. Shane’s Fence Company, Invoice No. 3835 in the amount of \$4,520.00 for fence repairs (Gessner right-of-way) completed through January 22, 2024.
- H. Underground Construction Solutions, Invoice No. 120223B in the amount of \$2,500.00 for water main repair work on Gessner Rd. completed through December 2, 2023.

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Brown to approve the Consent Agenda as presented.

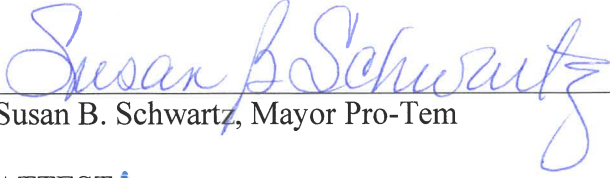
The motion carried 5-0

XXI. ADJOURN

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Moerer to adjourn the meeting at 7:43 p.m.

The motion carried 5-0

Approved and accepted on March 19, 2024.



Susan B. Schwartz, Mayor Pro-Tem

ATTEST:



Gerardo Barrera, City Administrator/ Acting City Secretary